

McGREGOR W. SCOTT  
United States Attorney  
BOBBIE J. MONTOYA  
Assistant U. S. Attorney  
501 I Street, Suite 10-100  
Sacramento, CA 95814-2322  
Telephone: (916) 554-2700  
Fax: (916) 554-2900  
KATHERINE R. LOO  
Special Assistant U.S. Attorney  
333 Market Street, Suite 1500  
San Francisco, CA 94105  
Telephone: (916) 977-8943  
Fax: (415) 744-0134  
Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BAO XIONG,

Plaintiff,

V.

JO ANNE B. BARNHART,  
Commissioner of  
Social Security,

**Defendant.**

CASE NO. 2:05-CV-00472-PAN (JFM)

**STIPULATION AND ORDER  
SETTLING ATTORNEY'S FEES  
PURSUANT TO THE EQUAL  
ACCESS TO JUSTICE ACT (EAJA)**

It is stipulated by the parties through their undersigned counsel, with the Court's approval, that counsel for Plaintiff be awarded attorney's fees under the Equal Access to Justice Act (EAJA) in the amount of FIVE THOUSAND TWO HUNDRED FIFTY AND 00/100 DOLLARS (\$5,250.00), for compensation for legal services rendered on Plaintiff's behalf, pursuant to 28 U.S.C. § 2412(d), thereby constituting a compromise settlement for all fees under the EAJA in this action, but not constituting any admission of Defendant's liability under the EAJA in this action.

Payment of the amount specified above shall constitute a complete release from and bar to any and all claims of Plaintiff's counsel relating to EAJA fees in connection with this action, without

1 prejudice to any future request for fees under the Social Security Act, 42 U.S.C. § 406(b).  
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3 /s/ Bess M. Brewer  
4 (As authorized on OCTOBER 24, 2006)  
5 BESS M. BREWER  
6 Attorney at Law  
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8 Attorney for Plaintiff

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McGREGOR W. SCOTT  
United States Attorney  
BOBBIE J. MONTOYA  
Assistant U.S. Attorney

By: /s/ Bobbie J. Montoya for  
(As signed on OCTOBER 25, 2006)  
KATHERINE R. LOO  
Special Assistant U.S. Attorney  
  
Attorneys for Defendant

OF COUNSEL:  
LUCILLE GONZALES MEIS  
CHIEF COUNSEL, REGION IX  
UNITED STATES SOCIAL SECURITY ADMINISTRATION

## ORDER

Counsel for Plaintiff is hereby awarded attorney's fees pursuant to the Equal Access to Justice Act in the amount of \$5,250.00, pursuant to the stipulation of the parties.

APPROVED AND SO ORDERED.

DATED: October 26, 2006.

John F. Wark  
UNITED STATES MAGISTRATE JUDGE

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